

104TH CONGRESS
2D SESSION

H. R. 1965

IN THE SENATE OF THE UNITED STATES

APRIL 24, 1996

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To reauthorize the Coastal Zone Management Act of 1972,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Coastal Zone Protec-
3 tion Act of 1996”.

4 **SEC. 2. FINANCIAL ASSISTANCE FOR DEVELOPMENT OF**
5 **STATE COASTAL PROGRAMS.**

6 (a) REAUTHORIZATION OF PROGRAM.—Section
7 305(a) of the Coastal Zone Management Act of 1972 (16
8 U.S.C. 1454(a)) is amended—

9 (1) by striking “1991, 1992, and 1993” and in-
10 serting “1997, 1998, and 1999”; and

11 (2) by striking “two” and inserting “four”.

12 (b) TERMINATION OF PROGRAM.—

13 (1) IN GENERAL.—Section 305 of the Coastal
14 Zone Management Act of 1972 (16 U.S.C. 1454) is
15 amended—

16 (A) by striking subsection (a);

17 (B) by striking “(b)”;

18 (C) by amending the heading to read as
19 follows:

20 “SUBMITTAL OF STATE PROGRAM FOR APPROVAL”.

21 (2) CONFORMING AMENDMENTS.—Section
22 308(b)(2)(B) of the Coastal Zone Management Act
23 of 1972 (16 U.S.C. 1457(b)(2)(B)) is amended—

24 (A) in clause (iv) by adding “and” after
25 the semicolon;

26 (B) by striking clause (v); and

1 (C) by redesignating clause (vi) as clause
2 (v).

3 (3) EFFECTIVE DATE.—This subsection shall
4 take effect on October 1, 1999.

5 **SEC. 3. IMPLEMENTATION ASSISTANCE FOR COASTAL**
6 **ZONE ENHANCEMENT.**

7 Section 309(b) of the Coastal Zone Management Act
8 of 1972 (16 U.S.C. 1456b(b)) is amended—

9 (1) by inserting “(1)” before “Subject to”; and

10 (2) by adding at the end the following new
11 paragraph:

12 “(2)(A) In addition to any amounts provided under
13 section 306, and subject to the availability of appropria-
14 tions, the Secretary may make grants under this sub-
15 section to States for implementing program changes ap-
16 proved by the Secretary in accordance with section 306(e).

17 “(B) Grants under this paragraph to implement a
18 program change may not be made in any fiscal year after
19 the second fiscal year that begins after the approval of
20 that change by the Secretary.”.

21 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR**
22 **GRANTS.**

23 Section 318 of the Coastal Zone Management Act of
24 1972 (16 U.S.C. 1464) is amended—

1 (1) by striking “SEC. 318.” and all that follows
 2 through subsection (a) and inserting the following:

3 “SEC. 318. (a) There are authorized to be appro-
 4 priated to the Secretary, to remain available until ex-
 5 pended—

6 “(1) for grants under sections 306, 306A, and
 7 309—

8 “(A) \$47,600,000 for fiscal year 1997;

9 “(B) \$49,000,000 for fiscal year 1998; and

10 “(C) \$50,500,000 for fiscal year 1999; and

11 “(2) for grants under section 315—

12 “(A) \$4,400,000 for fiscal year 1997;

13 “(B) \$4,500,000 for fiscal year 1998; and

14 “(C) \$4,600,000 for fiscal year 1999.”;

15 (2) by striking subsection (b); and

16 (3) by redesignating subsections (c) and (d) in
 17 order as subsections (b) and (c).

18 **SEC. 5. COASTAL ZONE MANAGEMENT FUND.**

19 (a) AUTHORIZATION FOR ADMINISTRATIVE EX-
 20 PENSES.—Section 308(b)(2)(A) of the Coastal Zone Man-
 21 agement Act of 1972 (16 U.S.C. 1456a(b)(2)(A)) is
 22 amended to read as follows:

23 “(A) Expenses incident to the administration of
 24 this title, in an amount not to exceed for each of fis-
 25 cal years 1997, 1998, and 1999 the higher of—

1 “(i) \$4,000,000; or

2 “(ii) 8 percent of the total amount appro-
3 priated under this title for the fiscal year.”.

4 (b) AUTHORIZATION FOR PROGRAM DEVELOPMENT
5 GRANTS.—Section 308(b)(2)(B)(v) of the Coastal Zone
6 Management Act of 1972 (16 U.S.C. 1456a(b)(2)(B)(v))
7 is amended to read as follows:

8 “(v) program development grants as au-
9 thorized by section 305, in an amount not to
10 exceed \$200,000 for each of fiscal years 1997,
11 1998, and 1999; and”.

12 **SEC. 6. MATCHING REQUIREMENT.**

13 Section 315(e)(3) of the Coastal Zone Management
14 Act of 1972 (16 U.S.C. 1461(e)(3)) is amended by adding
15 at the end the following new subparagraph:

16 “(C) Notwithstanding subparagraphs (A) and (B), fi-
17 nancial assistance under this subsection provided from
18 amounts recovered as a result of damage to natural re-
19 sources located in the coastal zone may be used to pay
20 100 percent of the costs of activities carried out with the
21 assistance.”.

22 **SEC. 7. AQUACULTURE IN THE COASTAL ZONE.**

23 The Coastal Zone Management Act of 1972 is
24 amended—

1 (1) in section 306A(b) (16 U.S.C. 1455a(b)) by
 2 adding at the end of the following:

3 “(4) The development of a coordinated process
 4 among State agencies to regulate and issue permits
 5 for aquaculture facilities in the coastal zone.”; and

6 (2) in section 309(a) (16 U.S.C. 1456b(a)) by
 7 adding at the end the following:

8 “(9) Adoption of procedures and policies to
 9 evaluate and facilitate the siting of public and pri-
 10 vate aquaculture facilities in the coastal zone, which
 11 will enable States to formulate, administer, and im-
 12 plement strategic plans for marine aquaculture.”.

13 **SEC. 8. APPEALS TO THE SECRETARY.**

14 The Coastal Zone Management Act of 1972 is
 15 amended by adding at the end the following new section:

16 “APPEALS TO THE SECRETARY

17 “SEC. 319. (a) NOTICE.—The Secretary shall publish
 18 in the Federal Register a notice indicating when the deci-
 19 sion record has been closed on any appeal to the Secretary
 20 taken from a consistency determination under section
 21 307(c) or (d). No later than 90 days after the date of
 22 publication of this notice, the Secretary shall—

23 “(1) issue a final decision in the appeal; or

24 “(2) publish a notice in the Federal Register
 25 detailing why a decision cannot be issued within the
 26 90-day period.

1 “(b) DEADLINE.—In the case where the Secretary
2 publishes a notice under subsection (a)(2), the Secretary
3 shall issue a decision in any appeal filed under section 307
4 no later than 45 days after the date of the publication
5 of the notice.

6 “(c) APPLICATION.—This section applies to appeals
7 initiated by the Secretary and appeals filed by an appli-
8 cant.”.

Passed the House of Representatives April 23, 1996.

Attest:

ROBIN H. CARLE,
Clerk.